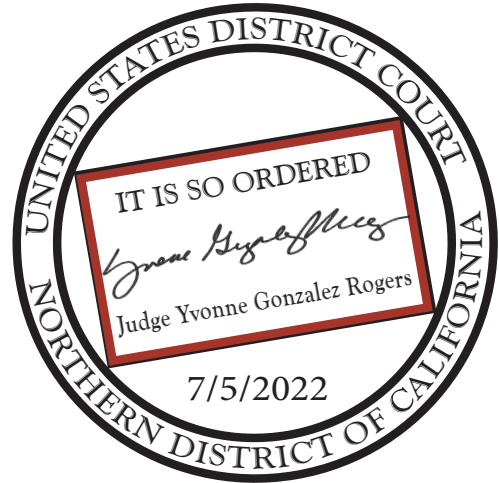


1 ROB BONTA
Attorney General of California
2 MICHAEL D. GOWE
Supervising Deputy Attorney General
3 CARA M. PORTER
Deputy Attorney General
4 State Bar No. 266045
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-3508
6 Fax: (415) 703-5480
E-mail: Cara.Porter@doj.ca.gov
7 *Attorneys for Creditor and Appellant*
California Franchise Tax Board
8



9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION
12

13 **In re**

14 **ANTHONY SCOTT LEVANDOWSKI,**

15 Debtor.

16 **THE UNITED STATES OF AMERICA on**
17 **behalf of THE INTERNAL REVENUE**
18 **SERVICE**

19 - and -

20 **CALIFORNIA FRANCHISE TAX**
21 **BOARD,**

22 Appellants,

23 **v.**

24 **ANTHONY SCOTT LEVANDOWSKI,**

25 Appellee.

26 ** All papers shall be filed in the Lead Case,*
No. 22-cv-02781-YGR.

Case Nos 4:22-cv-02781-YGR
4:22-cv-02783-YGR
4:22-cv-02786-YGR
4:22-cv-02789-YGR

On appeal from:
Bankruptcy Case No. 20-30242 (HLB)
Chapter 11

(Jointly Administered)

**STIPULATION RE BRIEFING
SCHEDULE FOR APPEALS**

1 SUBJECT TO THE APPROVAL OF THE COURT, the parties hereby stipulate to the following:

2 WHEREAS, the bankruptcy court in the underlying bankruptcy case (Case No. 20-30242-
3 HLB) entered two related orders on May 2, 2022: one granting Debtor's motion to determine the
4 tax effect of a settlement payment, ("Tax Order", Bankruptcy Court Dkt. No. 1028) and the other
5 confirming Mr. Levandowski's Chapter 11 Plan dated March 29, 2022 ("Confirmation Order",
6 Bankruptcy Court Dkt. No. 1030); and

7 WHEREAS, the United States on behalf of the Internal Revenue Service ("IRS") and the
8 California Franchise Tax Board ("FTB") each filed separate notices of appeals of the Tax Order
9 and the Confirmation Order, which the District Court docketed under case numbers 4:22-cv-
10 02781, 4:22-cv-02783, 4:22-cv-02786 and 4:22-cv-02789 (collectively, "Appeals"); and

11 WHEREAS, the Court entered the Order Directing Joint Administration of Appeals
12 Pursuant to Federal Rule of Civil Procedure 42(a) on June 1, 2022, ordering the joint
13 administration of the Appeals under case number 4:22-cv-02781 for procedural purposes only;
14 and

15 WHEREAS, on June 6, 2022, the clerk of the bankruptcy court clerk transmitted the record
16 on appeal to the District Court as to each of the Appeals. Dkt. Nos. 20, 21, 22 and 23; and

17 WHEREAS, counsel for all three Parties have agreed to a mutually agreeable briefing
18 schedule;

19 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the
20 respective attorneys of record for the stated Parties, subject to the Court's approval, as follows:

21 1. The deadline for FTB and the United States to file and serve their opening briefs shall
22 be July 15, 2022;

23 2. The deadline for Mr. Levandowski to file and serve his responsive briefs shall be
24 39 days after service of FTB's and the United States' opening briefs;

25 ///

26 ///

27 ///

28 ///

1 3. The deadline for FTB and the United States to file and serve their reply briefs shall be
2 14 days after service of Mr. Levandowski's responsive brief(s).

3 Dated: June 30, 2022

Respectfully submitted,

4 DAVID A. HUBBERT
5 Deputy Assistant Attorney General

6 /s/ Boris Kukso
7 BORIS KUKSO
8 AMY MATCHISON
9 Attorneys for Appellant
 United States of America

10
11 Dated: June 30, 2022

ROB BONTA
Attorney General of California
12 MICHAEL D. GOWE
13 Supervising Deputy Attorney General

14 /s/ Cara M. Porter
15 CARA M. PORTER
16 Deputy Attorney General
17 Attorneys for Appellant
18 California Franchise Tax Board

19 Dated: June 30, 2022

GOODWIN PROCTER LLP

20
21 /s/ Aaron S. Thompson
22 AARON S. THOMPSON
23 Attorneys for
24 Debtor and Appellee Anthony S.
25 Levandowski

ECF CERTIFICATION

Pursuant to Local Rule 5-1(h)(3), the filing attorney attests that she has obtained concurrence regarding the filing of this document from the signatories to the document.

/s/ Cara M. Porter
CARA M. PORTER
Deputy Attorney General